

REMARKS

Reconsideration of the application is respectfully requested. The Examiner has restricted examination of claims 1-6 and 27-30 in this application. Specifically, the Examiner restricted claims 5, 28, and 29 to Group I as drawn to a combination stock material and bearing, classified in class 384, subclass 121; and claims 1-4, 27, and 30 to Group II as drawn to a stock material subcombination, classified in class 428.

As a preliminary matter, Applicants respectfully note that the present restriction requirement fails to consider dependent claim 6. Applicants respectfully submit that claim 6 should be classified with the invention recited in claims 1-4, 27, and 30 of Group II. For the present purposes, Applicants have assumed that the Examiner intended such a classification. If the Examiner intended the Restriction to be formulated otherwise, the undersigned hereby respectfully requests that the Examiner contact him at his earliest convenience to appropriately discuss the status of the application and the content of the claims.

After careful review of the Examiner's restriction requirement, Applicants provisionally elect to prosecute claims 1-4, 6, 27, and 30, corresponding to Group II, *with traverse*. More specifically, Applicants object to the Examiner's restriction of the present claims on the ground of a lack of "serious burden" on the Examiner. As set forth in the Manual of Patent Examining Procedure, the criteria for a restriction requirement include: (1) the inventions must be independent or distinct, *and* (2) there must be a *serious burden* on the Examiner. *See* M.P.E.P. (Rev. 2, May 2004) §§ 802.02 and 803. Specifically, Applicants stress that "[i]f the search and examination of an entire application can be made *without serious burden*, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions." *Id.* at § 803 (emphasis added).

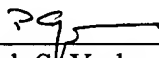
After careful review of the present application, Applicants stress that examination of all pending claims would not be a burden, much less a "serious burden," on the Examiner. If the Examiner reviews the prosecution history and claims in greater detail, Applicants believe that the Examiner will agree that the pending claims can reasonably be examined without need for the foregoing restriction requirement. Although dependent claims 5, 28, and 29 recite further subject matter generally related to a bearing component, Applicants do not believe that these contextual elements will add any burden, much less a serious burden, on the Examiner during his search and examination of the claims. Particularly, the Examiner has, presumably, already conducted a search of the relevant art in previously rejecting dependent claim 5.

Further, Applicants remind the Examiner of his earlier restriction requirement in which he clearly indicated that dependent claim 5 was classified in the same class as claims 1-4 and 6. *See* Office Action mailed December 1, 2004, page 2. Still further, Applicants note that the Examiner also indicated that the subject matter of claims 28 and 29 (formerly recited in claims 24 and 25) were classified in the same group as independent claim 1. *See id.*; Office Action mailed April 5, 2005, page 2; Response to Office Action filed January 3, 2005. Additionally, Applicants emphasize that "[p]iecemeal examination should be avoided as much as possible." M.P.E.P. (Rev. 2, May 2004) § 707.07(g), Page 700-122. For these reasons, Applicants respectfully request that the Examiner withdraw the restriction requirement and examine all pending claims.

If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

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